

House Amendment 1142

PAG LIN

1 1 Amend House File 703 as follows:
1 2 ~~#1.~~ By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 730.5, subsection 1, paragraph
1 5 b, Code 2005, is amended to read as follows:
1 6 b. "Confirmed positive test result" means, except
1 7 for alcohol testing conducted pursuant to subsection
1 8 7, paragraph "f", subparagraph (2), the results of a
1 9 ~~blood, urine, or oral fluid drug~~ test in which the
1 10 level of controlled substances or metabolites in the
1 11 ~~specimen sample~~ analyzed meets or exceeds nationally
1 12 accepted standards for determining detectable levels
1 13 of controlled substances as adopted by the ~~federal~~
1 14 United States department of health and human services'
1 15 substance abuse and mental health services
1 16 administration. If nationally accepted standards for
1 17 ~~oral fluid~~ tests on a particular specimen have not
1 18 been adopted by the ~~federal~~ United States department
1 19 of health and human services' substance abuse and
1 20 mental health services administration, the standards
1 21 for determining detectable levels of controlled
1 22 substances for purposes of determining a confirmed
1 23 positive test result shall be the same standard that
1 24 has been ~~established~~ cleared or approved by the
1 25 ~~federal~~ United States department of health and human
1 26 services' food and drug administration for the
1 27 ~~measuring instrument used to perform the oral fluid~~
1 28 ~~test particular specimen testing utilized.~~
1 29 Sec. 2. Section 730.5, subsection 1, paragraph k,
1 30 Code 2005, is amended to read as follows:
1 31 k. "Sample" means such sample from the human body
1 32 capable of revealing the presence of alcohol or other
1 33 drugs, or their metabolites, ~~which shall include only~~
1 34 ~~urine, saliva, breath, and blood.~~ However, "sample"
1 35 does not mean blood except as authorized pursuant to
1 36 subsection 7, paragraph "l".
1 37 Sec. 3. Section 730.5, subsection 7, paragraph b,
1 38 Code 2005, is amended to read as follows:
1 39 b. Collection of a ~~urine~~ sample for testing of
1 40 current employees shall be performed so that the
1 41 specimen is split into two components at the time of
1 42 collection in the presence of the individual from whom
1 43 the sample or specimen is collected. The second
1 44 portion of the specimen or sample shall be of
1 45 sufficient quantity to permit a second, independent
1 46 confirmatory test as provided in paragraph "i". ~~The~~
1 47 If the sample is urine, the sample shall be split such
1 48 that the primary sample contains at least thirty
1 49 milliliters and the secondary sample contains at least
1 50 fifteen milliliters. Both portions of the sample
2 1 shall be forwarded to the laboratory conducting the
2 2 initial confirmatory testing. In addition to any
2 3 requirements for storage of the initial sample that
2 4 may be imposed upon the laboratory as a condition for
2 5 certification or approval, the laboratory shall store
2 6 the second portion of any sample until receipt of a
2 7 confirmed negative test result or for a period of at
2 8 least forty-five calendar days following the
2 9 completion of the initial confirmatory testing, if the
2 10 first portion yielded a confirmed positive test
2 11 result.
2 12 Sec. 4. Section 730.5, subsection 7, paragraph f,
2 13 subparagraph (2), Code 2005, is amended to read as
2 14 follows:
2 15 (2) Notwithstanding any provision of this section
2 16 to the contrary, alcohol testing, including initial
2 17 and confirmatory testing, may be conducted pursuant to
2 18 requirements established by the employer's written
2 19 policy. The written policy shall include requirements
2 20 governing evidential breath testing devices, alcohol
2 21 screening devices, and the qualifications for
2 22 personnel administering initial and confirmatory
2 23 testing, which shall be consistent with regulations
2 24 adopted as of ~~January 1, 1999~~ March 15, 2005, by the

2 25 United States department of transportation governing
2 26 alcohol testing required to be conducted pursuant to
2 27 the federal Omnibus Transportation Employee Testing
2 28 Act of 1991.>
2 29 #2. Title page, line 1, by striking the words
2 30 <authorized testing substances for>.
2 31
2 32
2 33 _____
2 34 STRUYK of Pottawattamie
2 35 HF 703.503 81
2 36 ec/pj/1440